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June 7, 2024

VIA ECF

Hon. Magistrate Judge Sarah Netburn
Thurgood Marshall Courthouse
40 Foley Square, Room 430,
New York, NY 10007

Re: *Arthur Balder v. Susan Sarandon, et al*, Case No.: 1:22-cv-06401-JLR-SN

Hon. Judge Netburn:

We represent Defendants Susan Sarandon (“Sarandon”), Honey Shara (“Honey”), David Shara (“Shara”) and Tigran Tsitoghdzian (“Tigran”) (collectively, “Defendants”) in this action. We are writing regarding Your Honor’s Order dated June 5, 2024, which rescheduled the Settlement Conference (“Conference”) to June 10, 2024, at 11:00 a.m. ET [Dkt. No. 135].

The Parties were only recently informed of the change in the time for the Conference and we recently learned that Mr. Shara, who will be telephonically attending the conference regarding settlement, will not be able to attend the Conference at the rescheduled time of 11:00 a.m. ET on June 10, 2024. Mr. Shara is traveling out of the country from June 8 to June 15, 2024, and he has previously scheduled obligations at 11:00 a.m. ET on June 10th. However, Mr. Shara would be available at 2:00 p.m. ET on June 10th to participate in the Conference and respectfully requests that the Court reschedule the Conference on June 10, 2024, at 2:00 p.m. ET. As Your Honor’s rules require that this request be made forty-eight (48) hours prior to the Conference, and given the short notice of the rescheduled Conference, the undersigned has not yet had a chance to obtain a second alternative time but is willing to communicate an alternative time to this Court in the event that the 2:00pm ET time does not work for the Court.

This is the first request for adjournment of the Conference. We have conferred with Mr. Balder regarding this request, and Mr. Balder has not consented to this request. At Mr. Balder’s request we are including the entirety of his email for the Court, although Defendants obviously do not agree with his characterization or accusations and note that Mr. Balder has not stated that he is not available at the adjourned time. Mr. Balder’s position is as follows:

FRE 408 I do NOT consent. You have been wasting OUR time for weeks, including but not limited to: 1) sending contract drafts two weeks ago that DO NOT included all terms and conditions 2) not answering my request last week to send drafts including those terms agreed 3) even including concerning legal loopholes and limitations aimed at perpetrating Sarandons interference in the distribution of

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the film 4) acting in bad faith by not allowing your client D Shara to speak to us and solve issues directly 5) not answering my email including our contract draft proposals. Include every single word and send copy of communication with chambers of Netburn cc'ing us.

We greatly appreciate your Honor's time and consideration in this matter, and should the Court need any further information we are available at the Court's convenience.

Respectfully Submitted,

ADELMAN MATZ P.C.

Sarah M. Matz

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Sarah M. Matz Esq.

Cc. Arthur Balder (via ECF pursuant to Court Authorization)